

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

C.I.D. P.S. – Hyderabad – Sri Vempalli Khasim Saheb, Work Inspector, Gr.IV, Minor Irrigation Division., Kadapa District - Acquittal of accused in Crl. Appeal No.96/ 2005 by Sessions Judge, Kadapa – Criminal Appeal filed by the Government in Crl.M.P.No.1807/2007 and 1823/2007 – Withdrawal of prosecution – Orders – Issued.

LAW (LA&J) - HOME (COURTS.B) DEPARTMENT

G.O.Rt.No. 60

Dated:07-01-2009

Read the following:-

1. From the Addl. P.P., A.P.H.C., Hyd. Opinion No.453/2006, dated:9.9.2006 along with a copy of the judgment.
2. G.O.Rt.No.1583, Law (LA&J) – Home (Courts.B) Department, dated:10.11.2006.
3. Representation of Sri Vempalli Khasim Saheb, Work Inspector, Gr.IV, Minor Irrgn.Divn., Kadapa, dt.31.3.2008.

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O R D E R:

On the allegations that the accused, Sri Vempalli Khasim Saheb, Work Inspector, Gr.IV, Minor Irrigation Division., Kadapa District secured a job by producing a fake Land Loser Certificate and produced a bogus I.T.I. Certificate for that purpose, a case was registered in Cr.No.47/2000 against him along with his father and two others. The Trial Court acquitted the other accused who were tried along with him, from all the charges and convicted him, on the one and the same evidence. Hence, he preferred an appeal before the Hon'ble Prl. Sessions Judge, Kadapa in Cr.A.No.96/2005. The Hon'ble Sessions Judge, Kadapa in its judgment, dated:8-3-2006 acquitted him from the charges.

2) In the reference 2nd read above, based on the opinion, of the Addl. Public Prosecutor, High Court of Andhra Pradesh, Hyderabad, Government have issued orders to prefer an appeal against his acquittal vide G.O.Rt.No.1583, Home (Courts.B) Department, dated:10.11.2006.

3) In the reference 3rd read above, the individual represented the Government for withdrawal of the prosecution in the appeal filed against his acquittal.

4) Government, after careful examination of the matter in detail, have decided to withdraw prosecution, against Sri Vempalli Khasim Saheb, Work Inspector, Gr.IV, Minor Irrigation Division, Kadapa District wherein orders were issued, vide G.O.Rt.No.1583, Home (Courts.B) Department, dated:10.11.2006 to prefer an appeal against his acquittal order, dated:8-3-2006 under section 378 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) in Crl.A.No.96/2005 on the file of the Principal Sessions Judge at Kadapa, in C.C.No.64/2002, as his appointment made under G.O.MS. No.676 Irrigation & Projects Department, dated:17.1.1978 and G.O.Ms.No.98 Irrigation Department, dated:15.4.1986 are on the basis of the Secondary School Certificate, only and that there is no evidence that his appointment was made on the basis of any ITI qualification and further observed that the bogus ITI certificate if any said to have been produced by him, does not form the basis for his appointment as Work Inspector Grade-IV and that no reference has been made to any technical qualification in his appointment order and the prosecution witness admittedly has not made any personal verification of the lands under question, since his father was land loser, granted "Ek-Sal" patta and there is no bogusness in his claim that he has been a land loser.

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5) The Public Prosecutor, High Court of Andhra Pradesh, Hyderabad is, therefore, directed to file a petition for withdrawal of prosecution against the accused Sri Vempalli Khasim Saheb, Work Inspector, Gr.IV, Minor Irrigation department, Kadapa in Crl.A.1807/2007 and 1823/2007 before Hon'ble High Court of Andhra Pradesh under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.SURI APPA RAO,
SECRETARY TO GOVERNMENT,
LEGISLATIVE AFFAIRS AND JUSTICE.

To

The Public Prosecutor, High Court of Andhra Pradesh, Hyderabad.

The Collector & Dist.Magistrate, Cuddapah, Cuddapah District.

The Director General Police, Andhra Pradesh, Hyderabad.

The Superintendent of Police, Cuddapah District.

The Irrigation and Projects Department.z

Copy to Law (E) Department.

SC/SF.

// Forwarded: by Order //

SECTION OFFICER